

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

STEVE AXELROTH

vs.

CINDY LONESS CARPENTRY,
JOHN LONESS, CINDY LONESS, :
BERN TOWNSHIP, and POLICE :
OFFICER MICHAEL A. HOFFERT :
BADGE NO. 005 :

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CIVIL ACTION NO. 02-CV-4418

DEFENDANT'S SELF-EXECUTING DISCLOSURE

Pursuant to Fed. R. Civ. P. 26(a)(1), Defendants Cindy Loness Carpentry, John Loness and Cindy Loness (the "Loness Defendants"), by their attorneys hereby submit their self-executing disclosure.

GENERAL RESPONSE

1. Discovery is continuing, as is the Loness Defendant's investigation with respect to the claims and defenses involved in this matter, and the Loness Defendants reserve the right to supplement each of their responses at a future date.

2. The Loness Defendants will not disclose information that is subject to the attorney-client, attorney work product, or any other applicable privilege.

SPECIFIC DISCLOSURES

F.R.C.P. 26(a)(1)(A): The name and, if known, the address and telephone number of each individual likely to have discoverable information that the disclosing party may use to support its claims or defenses, unless solely for impeachment, identifying the subjects of the information.

RESPONSE: In addition to anyone identified in Plaintiff's or the Bern Township Defendants' Self-Executing Disclosures and to the parties to this lawsuit, the Lonest Defendants identify the following individuals:

1. Kevin McDevitt
104 Center Lane
Reading, PA 19606
(610) 779-5155
2. Paul Gerlach
860 D Berkshire Drive
Reading, PA 19601
(610) 372-0855

Mr. McDevitt and Mr. Gerlach, who worked for Lonest Carpentry, also occasionally worked by themselves and may have done some work for Plaintiff. They may have information regarding Plaintiff's business relationship with the Lonest Defendants and his failure to pay Mr. Lonest for work performed.

3. Paul Reider
519 Curtis Avenue
Reading, PA 19601
(610) 378-5642

Mr. Reider is Mrs. Lonest's son and was present when the Plaintiff gave Mr. Lonest the check for \$2,000.

_____**F.R.C.P. 26(a)(1)(B):** A copy of, or a description by category and location of, all documents, data compilations, and tangible things that are in the possession, custody, or control of the party and that the disclosing party may use to support its claims or defenses, unless solely for impeachment:

_____**RESPONSE:** The Loness Defendants are in possession of the following documents: (1) Plaintiff's Criminal Report/Documents from Leesport District Court; (2) a copy of the August 19, 1998 check from Plaintiff to John Loness; (3) a copy of the September 11, 2000 Personal Money Order to Cindy Loness Carpentry; (4) April 5, 1999 Invoice from Cindy Loness Carpentry to Steve Axelroth.

_____**F.R.C.P. 26(a)(1)(C):** A computation of any category of damages claimed by the disclosing party, making available for inspection and copying as under Rule 34 the documents or other evidentiary material, not privileged or protected from disclosure, on which such computation is based, including materials bearing on the nature and extent of injuries suffered.

_____**RESPONSE:** Not applicable.

_____**F.R.C.P. 26(a)(1)(D):** For inspection and copying as under Rule 34 any insurance agreement under which any person carrying on an insurance business may be liable to satisfy part or all of a judgment which may be entered in the action or to indemnify or reimburse for payments made to satisfy the judgment.

_____**RESPONSE:** The Loness Defendants have two insurance policies which are potentially applicable in this case: (1) Mutual Benefit Group Policy for Cindy Loness Construction; (2) Travelers Homeowners Policy.

Respectfully submitted,

ROLAND & SCHLEGEL, P.C.

By: _____
Edwin L. Stock, Esquire
I.D. # 43787
627 North Fourth Street
P.O. Box 902
Reading, PA 19603-0902
(610) 372-5588

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CERTIFICATE OF SERVICE

I, EDWIN L. STOCK, ESQUIRE, certify that on the day of May, 2003, I served a
true and correct copy of the within Defendants' Self-Executing Disclosure addressed as follows:

Gregg L. Zeff, Esquire
Frost & Zeff
Pier Five at Penn's Landing
7 North Columbus Boulevard
Philadelphia, PA 19106-1492

Andrew Bellwoar, Esquire
Siana, Bellwoar & McAndrew, LLP
941 Pottstown Pike
P.O. Box 630
Exton, PA 19341

by depositing copies thereof in the United States Mail, first class, postage prepaid.

Edwin L. Stock, Esquire